

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GERALDINE HOLMES,  
Plaintiff

VS.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

CIVIL ACTION

NO. 07-2356

FILED  
FEB 28 2008  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA

**ORDER**


O'NEILL, J.

AND NOW, this 28 day of Feb, 2008, upon consideration of the parties' cross-motions for summary judgment, and after careful review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Motion for Summary Judgment is GRANTED;
3. Defendant's Cross Motion for Summary Judgment is DENIED.
4. The case is REMANDED in accordance with the sixth sentence of 42 U.S.C. Section 405(g) to the Commissioner of the Social Security Administration for proceedings consistent with the Report and Recommendation of United States Magistrate Linda K. Caracappa.

It is so ORDERED.

BY THE COURT:



THOMAS N. O'NEILL, JR., J.

e-mail:

J. Gordon  
J. Thompson  
T. Smith